

REMARKS

Claims 1-11 were acted upon in the aforesaid Office Action. Claims 1-11 have been canceled and new claims 12-18 have been added, leaving claims 12-18 for consideration.

Claims 1-11 were rejected under 35 USC 101 as claiming the same invention as that of claims 1-11 of prior U.S. Patent No. 6,652,588.

As noted above, claims 1-11 have been canceled and new claims 12-18 submitted for examination.

Examiner found the Declaration defective because the application was not identified by application number in line 3 of page 2 of the Declaration. The line alluded to relates to a claim for priority, rather than the application itself. It is believed that the Declaration is suitable. The priority claim has been handled separately by way of a Preliminary Amendment filed 11/25/03.

Examiner has also objected to the Preliminary Amendment because it is identified by the Serial No. and filing date of the parent case. However, the Preliminary Amendment pertained to an RCE application (the present application) and could at that point be identified only by the parent case serial no. and date of filing. The use of the parent case serial no. is referred to in

paras. 3 and 4 of the Request for Filing Rule 1.53(B)
Continuation Application.

Examination and allowance of claims 12-18 is respectfully
requested.

Respectfully submitted,



Scott R. Foster

Registration No. 20,570

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451-1914

Tel. No. (781) 290-0060

EC2/HAYES3CON.AMD